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**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

KOHLER COMPANY,	)	Case No: 09-cv-1086
	)	
Plaintiff,	)	Judge: Joan H. Lefkow
	)	
v.	)	<b>JURY TRIAL DEMANDED</b>
	)	
CHICAGO FAUCET SHOPPE, INC.,	)	
	)	
Defendant.	)	

**STIPULATION, CONSENT DECREE, AND PERMANENT INJUNCTION**

Plaintiff Kohler Company, and Defendant Chicago Faucet Shoppe, Inc., agree that this case is settled and that all issues and controversies have been resolved to their mutual satisfaction.

IT IS ORDERED that:

1. Defendant and any of its officers, agents, servants, employees, and attorneys, and other persons acting in concert or participation therewith are hereby permanently restrained from using, registering, owning, leasing, or making use of any domain name containing Kohler's Registered U.S. Trademarks, U.S. Registered Service Marks, or confusingly similar variations thereof, alone or in combination with any other letters, words or phrases or designs.

2. Defendant and any of its officers, agents, servants, employees and attorneys, and other persons acting in concert or participation therewith are hereby permanently restrained from using, registering, owning, leasing or trafficking in any domain name containing a Kohler part number if the website hosted at that domain contains any of Kohler's Registered U.S. Trademarks, Registered U.S. Service Marks, or confusingly similar variations thereof, alone or

in combination with any other letters, words or phrases or designs. This paragraph only applies to Kohler part numbers which are published and readily available on Kohler's website.

3. Defendant shall not sell or transfer to third parties, or change the registrar for, any domain name set forth in numbered paragraph 4 of this document other than those transfers to Kohler required as part of settlement in this case.

4. The domain name registry Verisign, Inc. shall change the registrar of record for the domain names <kohler-toilet.com>, <kohlerflapper.com>, <kohlertoiletparts.com>, <kohler30413.com>, <kohler500520.com>, <kohler76851.com>, <kohler77005.com>, <kohler77006.com>, <kohler77548.com>, <kohler77885.com>, <kohler84499.com>, <kohleralterna.com>, <kohlercartridge.com>, <kohlercoralais.com>, <kohlerfillvalve.com>, <kohlerfix.com>, <kohlerflushvalve.com>, <kohlerforte.com>, <kohlerlialto.com>, <kohlerlritetemp.com>, <kohlerstem.com>, <kohlertaboret.com>, <kohlertoiletlid.com>, and any future domain name registered by Defendant containing any registered trademark or service mark owned by Kohler, or a Kohler part number from their respective registrar of record to Mark Monitor, which will register those domain names in the name of Kohler.

5. While the transfer described in paragraph four is pending completion the domain names <kohler-toilet.com>, <kohlerflapper.com>, <kohlertoiletparts.com>, <kohler30413.com>, <kohler500520.com>, <kohler76851.com>, <kohler77005.com>, <kohler77006.com>, <kohler77548.com>, <kohler77885.com>, <kohler84499.com>, <kohleralterna.com>, <kohlercartridge.com>, <kohlercoralais.com>, <kohlerfillvalve.com>, <kohlerfix.com>, <kohlerflushvalve.com>, <kohlerforte.com>, <kohlerlialto.com>, <kohlerlritetemp.com>, <kohlerstem.com>, <kohlertaboret.com>, <kohlertoiletlid.com> , and any content on those websites, shall be immediately disabled by Network Solutions.

6. Defendant shall pay Kohler \$5,000 on or before July 16, 2009.

7. The parties shall comply with all other terms of their settlement agreement entered into on May 1, 2009.

8. By consent of the parties, the Court shall retain jurisdiction for the purpose of enforcing the terms of this Order.

9. Except as necessary to enforce the terms of this Order, this case is hereby dismissed with prejudice. Each party shall bear its own costs and fees.

Defendants are warned that any act by them in violation of any of the terms of this Order after proper notice to Defendants, may be considered and prosecuted as contempt of this Court.

SO ORDERED, this 7<sup>th</sup> day of June, 2009.

  
The Honorable Joan Humphrey Lefkowitz  
United States District Court Judge